DATE: April 16, 2013

RESOLUTION NO. 2013 - 050

RESOLUTION
UTE MOUNTAIN TRIBAL COUNCIL

REFERENCE: APPROVING PERSONNEL, POLICY AND PROCEDURE MANUAL REVISIONS FOR TRIBAL HIRING PREFERENCE AND GRIEVANCE COMMITTEE PANELS

WHEREAS, the Constitution and By-Laws of the Ute Mountain Ute Tribe, approved June 6, 1940 and subsequently amended, provides in Article III that the governing body of the Ute Mountain Ute Tribe is the Ute Mountain Ute Tribal Council and sets forth in Article V the powers of the Tribal Council exercised in this Resolution;

WHEREAS the Tribal Council is responsible for the advancement and protection of the Ute Mountain Ute Tribe's interests and the interests of its tribal members; and

WHEREAS, the Ute Mountain Ute Tribe will revise the current section of the Ute Mountain Ute Tribe Personnel Policy and Procedure Manual, Chapter 7, Section 1, to exercise the right to Indian preference, per Public law 93-638 by applying stages to the job posting process and give highest preference to Ute Mountain Ute members and other Native American preference group; and

WHEREAS, the Ute Mountain Ute Tribal Personnel Policy and Procedure Manual will be replaced the current sections regarding the Indian hiring preference by applying the following stages to the hiring process; and

WHEREAS, all approved job postings will first be posted for a minimum of two weeks, during the 1st week for qualified Ute Mountain Ute Tribal members to apply. If at least one qualified candidate applies, they will be interviewed considered for employment exclusively. If there are not any UMUT members candidates the posting will move to Stage Two, for qualified Northern Ute or Southern Ute members or Tribal Affiliates (Spouse). If there are no qualified candidates in this area the posting will be move to Stage 3, for all other qualified, enrolled Native Americans. If there are no qualified candidates in this area the posting will be move to Stage 4, for all other qualified candidates. Each Stage the preference will be exclusively applied to the appropriate preference group; and

WHEREAS, Chapter 8, Grievance and Appeals, Selection 6, of the 1982 Ute Mountain Ute Policy and Procedure Manual will be revised to exclude the Superintendent of the Bureau of Indian Affairs and the Director of Indian Health Services from the Ute Mountain Ute Grievance Committees.

WHEREAS, the Ute Mountain Ute Tribal Personnel Policy and Procedure Manual will be replaced the current sections regarding the composition of the Grievance Committee Panel as follows; and

WHEREAS, the Division Directors, General Managers of the Enterprises and other Management personnel can be requested to be on the panel of Grievance Committees. Each panel must include at least one Ute Mountain Ute Tribal member.

NOW THEREFORE BE IT RESOLVED that the Tribal Council hereby approves the changes to the Ute Mountain Ute Tribe Personnel, Policy and Procedure Manual adopted 1982.

BE IT FINALLY RESOLVED that the Ute Mountain Tribal Council authorizes the Chairman to sign this Resolution and any required legal documents, and authorizes him to take such further action as may be necessary to carry out the intent of this Resolution.

The foregoing Resolution was duly adopted this 16th day of April, 2013.

Gary Hayes, Chairman
Ute Mountain Tribal Council

CERTIFICATION

This is to certify that there was a quorum of _6_ Tribal Council members present at the official meeting of the Ute Mountain Tribal Council held on April 16, 2013, that _5_ voted for this Resolution, with _0_ opposing and that the above resolution was duly adopted.

Michela F. Alire, Recording Secretary
Ute Mountain Ute Tribe